

SOUTH DAKOTA BOARD OF NURSING

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IN THE MATTER OF THE
LICENSURE PROCEEDINGS

RE: WILLIAM STEURMAN, R.N. STIPULATION AND ORDER
License No. R-024940

Licensee.

* * * * *

WHEREAS, WILLIAM STEURMAN, R.N., ("Licensee"), is licensed to practice nursing as a registered nurse in the State of South Dakota and holds License number R-024940; and

WHEREAS, said Licensee, during the term of his employment at the Human Services Center in Yankton, South Dakota, admitted to medication and transcription errors, was placed on a work-improvement plan from January 24, 1994, through May 9, 1994, and resigned employment on September 27, 1994, and has not been in active practice as a nurse thereafter, and has admitted to having lapses in concentration which restricted his ability to safely perform the functions required as a staff nurse prior to September 27, 1994, and such conduct would constitute grounds for disciplinary or corrective action under SDCL 36-9-49(5), (7) and (10), and may be inconsistent with the health or safety of the persons entrusted to his care, and violates the statutes and rules regulating the practice of nursing, and is a violation of SDCL 36-9-49(5), (7) and (10); and

WHEREAS, the Licensee recognizes and agrees that these matters are of a nature which would constitute grounds for the discipline

of his license to practice nursing in South Dakota under SDCL § 36-9-49; and

WHEREAS, the South Dakota Board of Nursing (hereinafter "the Board") has a statutory obligation to protect the public health, safety and welfare set forth in SDCL § 36-9, including the protection of the public from unsafe nursing practices and practitioners; and

WHEREAS, in the event the Board, in its discretion, does not approve this settlement or a lesser remedy than indicated in this settlement, this Stipulation is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party. Licensee agrees that if the Board rejects this Stipulation and this case proceeds to hearing, Licensee will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or any of the records or information relating hereto; and

WHEREAS, the Licensee has not actively practiced nursing since September 27, 1994; now, therefore,

IT IS HEREBY STIPULATED THAT THE BOARD MAY ENTER ITS ORDER AS FOLLOWS:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Stipulation.

2. That said Licensee, during the term of his employment at the Human Services Center in Yankton, South Dakota, admitted to medication and transcription errors, was placed on a work-improvement plan from January 24, 1994, through May 9, 1994, and resigned

employment on September 27, 1994, and has not been in active practice as a nurse thereafter, and has admitted to having lapses in concentration which restricted his ability to safely perform the functions required as a staff nurse prior to September 27, 1994, and such conduct would constitute grounds for disciplinary or corrective action under SDCL 36-9-49(5), (7) and (10), and may be inconsistent with the health or safety of the persons entrusted to his care, and violates the statutes and rules regulating the practice of nursing, and is a violation of SDCL 36-9-49(5), (7) and (10).

3. The Licensee has been given an opportunity to discuss this Stipulation and Order with an attorney of Licensee's choice, and is aware of Licensee's right to a hearing in this matter, and all rights under the United States and South Dakota Constitutions, laws, rules and/or regulations. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or any other rights under said Constitutions, laws, rules and/or regulations. Licensee is entering into this Stipulation and Order voluntarily and without duress or compulsion. Licensee also agrees that the Board's Executive Secretary or his designee may present this Stipulation to the Board and disclose to the Board all items of his investigation, including, but not limited to, any communications with Licensee.

4. That the Licensee's license to practice nursing in South Dakota is placed on a probationary status for a period of three (3) years as active practice as a nurse in the employment in the

nursing practice from the date of this Order being approved by the Board, which probationary terms and conditions shall be completely followed by the Licensee as follows:

C O N D I T I O N S:

1. Licensee shall cause psychiatrist to submit reports to the Board quarterly the first year and every six months thereafter; regarding the mental health status, treatment and prognosis in relation to Licensee's ability to safely practice as a nurse. The duration of therapy shall be mutually determined by the Licensee and his psychiatrist. The reports shall provide and/or address:
 - a) Verification that the psychiatrist has seen a copy of the Stipulation and Order;
 - b) Diagnosis and any treatment plan;
 - c) Current stability on Licensee's medication(s), if applicable;
 - d) Licensee's ability to practice as a professional nurse;
 - e) Any other information which the reporter believes would assist the Board in its ultimate review of the case.

2. Licensee shall continue counseling with a counselor qualified in the area of mental health. The duration of counseling shall be mutually determined by the Licensee and his counselor. The counselor shall submit reports to the Board quarterly the first year and every six months thereafter. The report shall provide and/or address:
 - a) Verification that the counselor has seen a copy of the Stipulation and Order.
 - b) Diagnosis and any treatment plan;
 - c) Licensee's sobriety status, if applicable;
 - d) Licensee's ability to handle stress;
 - e) Licensee's ability to practice as a professional nurse;
 - f) Any other information which the counselor believes would assist the Board in its ultimate review of the case.

3. Licensee will notify the Board of any employment in the healthcare field, including changes in employment. Further-

more, the Licensee will inform any current or prospective employer with whom he seeks employment as a nurse, as to the subject matter and the nature of the proceedings and the Stipulation, and would further agree that any such employer would, during the first year of probation, be required to provide quarterly reports to the Board as to his progress as an employee, and during the balance of the probationary period provide reports on a basis of every six (6) months. The reports shall provide and/or address:

- a) In the first report, evidence that Licensee's supervisor has received a copy of the order within ten days of service or within ten days of Licensee beginning a new employment;
 - b) Licensee's attendance and reliability;
 - c) Licensee's ability to practice professional nursing;
 - d) Licensee's ability to carry out assigned functions; including the handling of controlled substances;
 - e) Licensee's ability to handle stress;
 - f) Licensee's sobriety;
 - g) Number of hours Licensee worked during the reporting period;
 - h) Any other information which the supervisor believes would assist the Board in its ultimate review of the case.
4. Licensee shall not be employed by a temporary agency.
5. Licensee shall observe the following employment restrictions:
- a) May only administer all medications under direct supervision of another nurse for six (6) months;
 - b) May not hold a charge or supervisory position for one (1) year;
 - c) may only practice under on-site supervision of a licensed nurse in good standing with the Board for a minimum of one (1) year. The supervising nurse shall be primarily one (1) person, who may periodically delegate to other qualified personnel.
 - d) May not rotate more than two different shifts in one week or double back any two shifts within a twenty-four (24) hour period.

6. Licensee shall arrange with the Board staff probationary meetings once every three (3) months during the first year of probation. Thereafter, probationary meetings will be arranged by the Licensee every six (6) months for the balance of the probationary period. It will be the obligation of the Licensee to schedule these meetings at such time and place as the Board staff would reasonably designate.

Furthermore, the Licensee will submit a self-evaluation report to the Board office prior to each probationary meeting. The report shall provide and/or address:

- a) Licensee's participation in a rehabilitation program and his response to medication therapy. Documentation shall include attendance and participation, family support and problem areas addressed;
 - b) Licensee's professional employment status, including employer support, peer support, ability to handle stress and management of patient-care duties;
 - c) Licensee's future professional goals for nursing;
 - d) Licensee's future personal goals; and
 - e) Any other information which the Licensee believes would assist the Board in it's ultimate review of the case.
7. Licensee shall at any time during the period of probation, report in person to such meetings of the Board or to its designated representatives as directed and otherwise fully cooperate with the Board or its representatives in the terms of this probation.
 8. Licensee shall not violate any law or regulation regarding the practice of nursing.
 9. Licensee shall execute all release of information forms as may be required by the Board or its designee.
 10. Within ten (10) days of the effective date of this Order, Licensee shall submit his/her license to the South Dakota Board of Nursing to be stamped "PROBATION."
 11. Licensee shall notify the Board, in writing, within one (1) week of any change in nursing employment, personal address and/or telephone number.
 12. Licensee shall pay for all costs and expenses in carrying out any conditions of the probation.

13. Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, they must first be approved by the Board prior to leaving the state. If Licensee fails to receive such approval before leaving the state, none of the time spent out-of-state will be credited to the fulfillment of the terms and conditions of this Order.
14. The Licensee may petition the Board for early closure or reconsideration of the terms of the probationary agreement after two (2) years of successful completion of the terms outlined in this Order.
15. In the event that the Licensee does not work in nursing within two (2) years of the effective date of the Order, Licensee may petition the Board for reevaluation of the probationary conditions.
16. If any condition of this probation is violated, the Licensee agrees that the Board may take such actions as the Board deems necessary up to and including a total and complete revocation of Licensee's licensing rights as a nurse in South Dakota.
17. If Licensee obtains a license issued solely or under joint regulatory powers by the Board other than the license to which this Stipulation refers in the above-captioned paragraphs, at any time during the period of probation, the terms of this probation shall apply to the other or additional license(s) issued by the Board.

5. It is further stipulated and agreed that this Stipulation is being entered into voluntarily by the Licensee and without threats or coercion and is entered into after the Licensee has been given ample opportunity to consider these matters and to discuss this Stipulation with an attorney of his choice and that the Licensee has a full understanding of the legal consequences of this Stipulation and of the Licensee's rights to a formal hearing on these matters, which rights are hereby waived by the signing of this Stipulation.

NOW, THEREFORE, the foregoing Stipulation and Order is entered into and is respectfully submitted to the Board with the request

that the Board adopt its terms as an order of the Board in the above matter.

Dated this 1 day of Feb, 1995.

William Steurman RN
William Steurman, R.N., Licensee

The South Dakota Board of Nursing meeting on the 1 day of February, 1995, (approved) (rejected) the attached Stipulation (as written) (with the following modifications):

and issued its order of probation consistent herewith as follows:

IT IS HEREBY ORDERED that the above Stipulation is adopted shown herein by the South Dakota Board of Nursing this 1st day of February, 1995, by vote of unanimous (11-yes).

Diana VanderWoude RN, MS
Diana Vander Woude, Executive Secretary



SOUTH DAKOTA BOARD OF NURSING

DEPARTMENT OF COMMERCE AND REGULATION
3307 S. Lincoln Ave.
Sioux Falls, South Dakota 57105-5224
Phone: 605-367-5940

FILE COPY

April 24, 1997

William Steurman
502 East 6th
Yankton, SD 57078

Dear Bill:

As you know, the South Dakota Board of Nursing met in Sioux Falls on April 17-18, 1997 and considered your request for modification of the terms of probation set forth in the February 1995 Stipulation and Order. The Board moved, by a unanimous vote, to remove sections a), b), and d) from Condition 5 of the Order and to amend section c) to read as follows:

“May only practice under on-site supervision of a licensed nurse in good standing with the Board for a minimum of 3 months. The supervising nurse shall be primarily one (1) person who may periodically delegate to other qualified personnel.”

These changes are effective April 17, 1997. All other Conditions of the Order remain as written.

I would advise you to attach this letter to the Stipulation and Order so that anyone reviewing the Order will have knowledge that the employment restriction in Condition 5c) has been modified and that the restrictions in Conditions 5a), 5b), and 5d) have been removed. I would be very happy to discuss the monitoring terms of the probation with any potential employer. On behalf of the Board of Nursing, I wish you success in obtaining nursing employment. Feel free to telephone me if you have any questions concerning this matter.

Sincerely yours,

Mona Hohman, RN, MS
Nursing Practice Specialist

cc: Terry Prendergast
Board Legal Counsel



SOUTH DAKOTA BOARD OF NURSING

DEPARTMENT OF COMMERCE AND REGULATION

4300 S. Louise Ave., Suite C-1

Sioux Falls, South Dakota 57106-3124

Phone: 605-362-2760

April 22, 2002

FILE COPY

William Steurman
502 E. 6th Street
Yankton, SD 57078

Dear Bill,

The South Dakota Board of Nursing met in Sioux Falls for its regularly scheduled meeting on April 18-19, 2002. The Board considered your Stipulation and Order dated February 1, 1995, the approved modifications dated April 17, 1997 and a letter from the South Dakota Human Services Center regarding your most recent nursing experience dated September 12, 2000.

Based upon the information presented at that meeting, the Board moved by a unanimous vote to modify Condition 5, section c) to read as follows:

"May only practice under the on-site supervision of a licensed nurse in good standing with the Board for a minimum of three (3) months, in each new nursing employment situation, during the duration of the probationary period. The supervising nurse shall be primarily one (1) person, who may periodically delegate to other qualified personnel."

In other words each time you change nursing employment the three-month supervision condition applies. If you have any questions regarding this matter please feel free to contact me.

Sincerely,

Carey Duffy RN; BA
Nursing Practice Specialist

CC: Terry Prendergast, Board Legal Counsel